

**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2005 Legislative Session**

B. BILLS BY DCA BOARDS, BUREAUS, & PROGRAMS

(1) ACCOUNTANCY, BOARD OF

**AB 843
Nunez**

Refund Anticipation Loans and Tax Preparers

**Enacted
Chapter 396**

Prohibits a tax preparer from representing the availability of a refund anticipation loan as a client's actual refund. Requires a tax preparer that offers to facilitate this type of loan to provide the client with a specified written disclosure that includes the amount of a fee that would be charged, if any, if the client's loan is not approved. Requires that all disclosure documents comply with current law regarding translation of documents for those who primarily negotiate in Spanish, Chinese, Tagalog, Vietnamese or Korean.

**SB 747
Machado**

Abusive Tax Shelters and Tax Professional Discipline

Two Year Bill

Would increase penalties and professional reviews for aiders and abettors of abusive tax shelters. Also, would assess a minimum \$10,000 penalty for certain prohibited acts by tax preparers and tax shelter promoters. Additionally, would provide that being assessed a penalty for either promoting or aiding and abetting an abusive tax shelter is cause for attorney disbarment, certified public accountant decertification or tax preparer business prohibition.

(2) ACUPUNCTURE BOARD

**AB 366
Maze**

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

**AB 1113
Yee**

Acupuncturists: Diagnosis

Vetoed

Would have authorized a licensed acupuncturist to diagnose within his or her scope of practice.

**AB 1114
Yee**

Acupuncturists: Continuing Education Requirements

**Enacted
Chapter 648**

Increases an acupuncturist's required continuing education hours from 30 every two years to 50 every two years. Requires that no more than 5 of these hours be spent on issues unrelated to clinical matters or the actual provision of health care to patients.

AB 1115 Yee	<u>Acupuncture Assistants: Definition</u>	Vetoed
	Would have created a definition for an “acupuncture assistant” and specifies that this individual may perform clerical, administrative, and supportive services under the supervision of a licensed acupuncturist, but may not perform acupuncture.	
AB 1117 Yee	<u>Acupuncture: Asian Medicine</u>	Enacted Chapter 649
	Changes the term “Oriental” to “Asian” in statutes relating to the practice of acupuncture and the practice of “Oriental Medicine.”	
SB 233 Figueroa	<u>Acupuncturists: Authorization to Diagnose and Provide Treatment</u>	Two Year Bill
	Would authorize an acupuncturist to diagnose for the purpose of providing acupuncture treatment. Also, would eliminate/sunset the Acupuncture Board as of January 1, 2006.	
SB 248 Figueroa	<u>Professions and Vocations</u>	Enacted Chapter 659
	Extends the sunset dates for the Dental Board and Committee on Dental Auxiliaries. Repeals and reconstitutes a new seven-member Acupuncture Board (Board) authorized until January 1, 2011, and allows the Board, with the approval of the Department of Consumer Affairs, to appoint an executive officer.	
SB 356 Alarcon	<u>Acupuncturists: Scope of Practice</u>	Two Year Bill
	Would define Chinese or oriental massage. Would also authorize the holder of an acupuncturist’s license to order diagnostic tests commonly accepted in the medical community and to perform or prescribe electrical stimulation.	

(3) ALL BOARDS / BUREAUS / COMMISSIONS / PROGRAMS

AB 139 Committee on Budget	<u>State Government</u>	Enacted Chapter 74
	Deletes continuously appropriated funding to various Department of Consumer Affairs’ boards/bureaus. Modifies the continuous appropriation language to the Medical Board’s Medically Underserved Account by requiring that the monies are to repay loans per agreements with physicians who practice in underserved areas. (Urgency Measure)	
AB 219 Nakanishi	<u>State Agencies’ Publications</u>	Two Year Bill
	Would require all state agencies and departments to submit an electronic copy of their publications to the State Library. Would require the State Library to create and maintain a Web site containing electronic versions of all state government publications, update it quarterly or monthly, produce a cumulative version at the end of the year and make the list accessible to the public. Would require the State Library to retain in its permanent records a copy, printed or electronic, of each publication on its lists and make these available as determined by the State Librarian.	

AB 277
Mountjoy

Open Meetings: Closed Sessions

Enacted
Chapter 288

Eliminates the January 1, 2006, sunset date on the provisions authorizing state bodies to hold closed sessions to discuss security matters, thereby extending these provisions indefinitely. Also authorizes the California Public Employees' Retirement System Board to hold closed sessions when discussing rates and competitive strategies for its Long-Term Care Program.

AB 278
Bogh

Commercial Mail Receiving Agencies

Two Year Bill

Would require a commercial mail receiving agency to obtain a customer's thumbprint and those thumbprints' of other authorized users. Would prohibit a commercial mail receiving agency from releasing thumbprint identification to any entity other than the Department of Consumer Affairs or law enforcement agencies and would require probable cause before such information is released.

AB 446
Negrete
McLeod

Licensees: Settlement Agreements

Vetoed

Would have prohibited the use of gag clauses in the settlement of lawsuits against all licensed individuals regulated by the Department of Consumer Affairs.

AB 1351
Vargas

Office of Administrative Law

Vetoed

Would have developed a process and regulations for determining underground regulations and further defined emergency regulation procedures. This bill was later amended to permit the San Diego Regional Airport Authority to issue notes, commercial paper notes or any other type of obligation allowable by law.

AB 1625
Klehs

State Government: Reports: Declarations

Vetoed

Would have required reports that are submitted to the Legislature to be accompanied by a signed statement from the head of the agency or specified officers of a board or commission declaring that the contents of the report are true, accurate, and complete to the best of his or her knowledge.

SB 577
Figueroa

State Government Operations and Accountability

Vetoed

Would have required all state agencies, to the extent feasible, to participate in the Cal-Card program for purchases up to \$5,000 as well as, use the State Contract and Procurement Registration System, and the California Automated Travel Expense Reimbursement System. Also, required all state construction projects beginning after January 1, 2006 and funded with state money to consider whether an owner controlled insurance program might reduce costs without hindering the construction project. Additionally, required the Governor to create and implement a pilot volunteer leave program by July 1, 2006 for state employees.

SB 796
Figueroa

State Government Operations and Accountability

Enacted
Chapter 686

Establishes the Government Modernization, Efficiency, Accountability and Transparency Act of 2005. Requires until January 1, 2012, that every state agency that has a website and issues permits or licenses, or accepts applications, proposals, bids or similar requests to post, no later than January 1, 2007, a customer service link with specific information. Requires every state agency to televise public hearings on proposed regulations via the internet or other technology, as practicable.

SB 1022
Campbell

Limited Liability Companies

Two Year Bill

Would authorize the formation of professional limited liability companies to provide specific professional services and require these companies to meet certain requirements.

(4) ARCHITECTS BOARD

AB 302
Committee
on Business
and
Professions

Architects: Reporting Requirements

Enacted
Chapter 506

Clarifies when an architect is required to report a settlement of a claim in specified circumstances.

SB 1112
Committee
on
Business,
Professions
and
Economic
Development
t

Architects and Contractors

Enacted
Chapter 280

Provides that appointments to the California Architects Board expire on June 30, instead of June 1, of the 4th year following the year in which the previous term expired. Clarifies bond requirements and arbitration proceedings administered by the Contractors' State License Board. Authorizes the registrar of contractors to issue a probationary license with specified terms and conditions.

(5) ATHLETIC COMMISSION

AB 972
Runner,
Sharon

Boxing: Pregnancy Tests

Two Year Bill

Would require a female boxer, kickboxer and martial artist to provide the results of a pregnancy test to the State Athletic Commission before competing in a match and would prohibit her from competing in a match if she is pregnant.

SB 247
Figueroa

The Boxing Act

Two Year Bill

Would repeal the State Athletic Commission (Commission) as of January 1, 2006 and repeal other related provisions. Would require the State Athletic Commissioner to appoint an advisory committee to advise the Director of the Department of Consumer Affairs and the State Athletic Commissioner concerning the administration, licensing and enforcement of the Boxing Act. Would require the State Athletic Commissioner in consultation with the Director and an advisory committee to submit a strategic plan to the Governor and Legislature by July 1, 2006 and for the State Athletic Commissioner to submit a report on the implementation of the strategic plan by August 1, 2006 to the Director, Governor and Legislature.

SB 278
Cedillo

Boxers' Pension Fund: Sunset Date Extension

Enacted
Chapter 104

Removes the sunset date on provisions providing for the \$100,000 fee cap on boxing contests and requiring payments to the Boxers' Pension Fund and the State Athletic Commission when the fee based on admission receipts exceeds \$70,000, allowing those provisions to remain in effect indefinitely.

(6) AUTOMOTIVE REPAIR, BUREAU OF

AB 79
Calderon

Automotive Repair Dealers

Two Year Bill

Would revise the definitions of "motor vehicle" and "customer," in the Automotive Repair Act, to include vehicles powered by electricity, hydrogen or other alternative fuels, and to allow an insurer to act as the customer when certain conditions are met.

AB 184
Cogdill

High Polluter Vehicle Exchange Program

Two Year Bill

Would create a program where those businesses or individuals who own low-emission vehicles can donate those vehicles to the Department of Consumer Affairs, and those vehicles would then be traded to consumers for vehicles that have been determined to be high polluters.

AB 226
Bermudez

Automotive Technology Education

Two Year Bill

Would create the Automotive Career and Technical Education Account in the Vehicle Inspection and Repair Fund of the Bureau of Automotive Repairs (Bureau). Would require the Bureau to work with an advisory committee in granting awards for automotive technology education and that school districts and community colleges receiving grants are to provide matching funds or equivalent resources. Would require each grant recipient to report to the Bureau and the Bureau to report to the Legislature on the grant program. Would provide a repeal date for the grant program as of January 1, 2013.

AB 303 Calderon	<u>Concierge Insurance Program</u>	Two Year Bill
	Would allow a vehicle owner to authorize their insurer to act on his or her behalf to arrange vehicle repairs. Insurers would be required to supply claimants with a rental car during repairs, and to allow the owner to inspect and approve repairs upon completion.	
AB 383 Montanez	<u>Motor Vehicle Inspection Program: Repair Assistance</u>	Enacted Chapter 565
	Sets the maximum income level for eligible low-income participants in the Bureau of Automotive Repair's (Bureau) Consumer Assistance Program (CAP) at 200% of the federal poverty level and repeals this provision January 1, 2009. Requires the Bureau to give priority to applications submitted by owners whose vehicle has failed a smog check inspection and that is directed to a test only facility. Allows the Bureau to increase the maximum income level from 200% but not to exceed 225% when funding is available.	
AB 386 Lieber	<u>Smog Check Program: Shift in Oversight and Responsibility</u>	Two Year Bill
	Would shift the oversight and responsibility for the Smog Check program from the Bureau of Automotive Repair (BAR) to the Air Resources Board (ARB), leaving BAR to implement and enforce the program, with ARB having authority over the program and its funding.	
AB 578 Horton, Shirley	<u>Gold Shield Test Stations: Initial Smog Check Tests</u>	Two Year Bill
	Would allow the top performing Gold Shield test-and-repair Smog Check stations to also perform initial Smog Check tests which are now only allowed at test-only stations.	
AB 861 Bass	<u>Licensure Denial Exemptions</u>	Two Year Bill
	Would exempt Bureau of Automotive Repair, Board of Barbering and Cosmetology, Cemetery and Funeral Bureau, Bureau of Electronics and Appliance Repair, Bureau of Home Furnishings and Thermal Insulation and Structural Pest Control Board licensees from denial of licensure provisions for convictions of nonviolent drug possession or nonviolent or non-serious misdemeanors or felonies if specific requirements are met.	
AB 898 Maze	<u>Smog Check Technician Qualification Requirements</u>	Two Year Bill
	Would require the Department of Consumer Affairs to review qualification requirements for smog check technicians and make them as consistent as possible with those in other states, as well as establish prerequisite training for those technicians which would allow a technician who completes 60 hours of that training to take a qualification examination. Would also revise the qualification requirements to allow a technician who completes the 60 hours of prerequisite training and passes the qualification examination to become a smog check technician.	

AB 1163
Yee

Motor Vehicle Replacement Parts

Two Year Bill

Would 1) require an insurer or repair facility to notify a consumer of the use of crash parts supplied by the manufacturer of the vehicle, certified aftermarket crash parts, as defined, crash parts supplied by an independent manufacturer, or recycled or salvaged crash parts; 2) provide that certified aftermarket crash parts and crash parts produced by the manufacturer of the vehicle are warranted by the manufacturer or distributor of the parts and the insurer; 3) define "independent third-party certifier" as an entity, meeting specified requirements, which is registered with the Director of the Department of Consumer Affairs; and 4) establish that noncar company certified aftermarket crash parts are of like kind and quality to car company parts.

SB 731
Torlakson

State and Local Government

Enacted
Chapter 270

Modifies smog check inspection provisions by further defining who is exempt from smog checks. Authorizes red fog tail lamps to be installed no lower than 12 inches and no higher than 60 inches on all vehicles.

(7) BARBERING & COSMETOLOGY BOARD

AB 163
Bermudez

Barbering and Cosmetology: Threading: Examination and Licensure

Vetoed

Would have revised the definition of "threading" in the Barbering and Cosmetology Act to include the possible incidental trimming of eyebrow hair and made the Board of Barbering and Cosmetology's application for admission to examination and the application for licensure two separate applications.

AB 861
Bass

Licensure Denial Exemptions

Two Year Bill

Would exempt Bureau of Automotive Repair, Board of Barbering and Cosmetology, Cemetery and Funeral Bureau, Bureau of Electronics and Appliance Repair, Bureau of Home Furnishings and Thermal Insulation and Structural Pest Control Board licensees from denial of licensure provisions for convictions of nonviolent drug possession or nonviolent or non-serious misdemeanors or felonies if specific requirements are met.

AB 1263
Yee

Barbering and Cosmetology: Pedicure Equipment

Vetoed

Would have required the Board of Barbering and Cosmetology (Board) to adopt regulations on or before July 1, 2006 that set forth standards and requirements for the use of pedicure equipment; required the Board to establish minimum safety specifications and other requirements for the manufacture of new whirlpool pedicure equipment and the modification of existing whirlpool pedicure equipment if the appropriate technology is available; required the Board to develop a consumer warning notice, as specified, which should be prominently displayed in pedicure foot spas by pedicure foot spa operators; and required the Board to display a notice in a violator's place of business or employment for specified violations.

(8) BEHAVIORAL SCIENCES, BOARD OF

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

AB 733
Nation

Psychotherapists: Duty to Warn

Two Year Bill

Would clarify the law regarding the duty of a psychotherapist to warn of physical violence against a reasonably identifiable victim when a serious threat of physical violence has been communicated to the therapist by a patient. Would encourage, but not require, therapists to contact patients who may have threatened harm to an individual, as reported by a 3rd party.

AB 894
La Suer

Licensed Professional Counselors

Two Year Bill

Would provide for the licensing and regulation of professional counselors by the Board of Behavioral Sciences (Board). Would add four members to the Board. Would enact various requirements for these counselors and would make a continuous appropriation from the Board fund to the Board.

SB 229
Figueroa

Professions and Vocations

Enacted
Chapter 658

Extends the sunset dates for the Board of Psychology, Board of Behavioral Sciences, Court Reporters Board, and the Structural Pest Control Board from January 1, 2007 to January 1, 2009. Imposes a processing fee for reinstatement of a Respiratory Care Board license that has been revoked, suspended or surrendered.

(9) CEMETERY & FUNERAL BUREAU

AB 861
Bass

Licensure Denial Exemptions

Two Year Bill

Would exempt Bureau of Automotive Repair, Board of Barbering and Cosmetology, Cemetery and Funeral Bureau, Bureau of Electronics and Appliance Repair, Bureau of Home Furnishings and Thermal Insulation and Structural Pest Control Board licensees from denial of licensure provisions for convictions of nonviolent drug possession or nonviolent or non-serious misdemeanors or felonies if specific requirements are met.

(10) CONTRACTORS' STATE LICENSE BOARD

**AB 316
Nakanishi**

**Contractors: Arbitration, Home Improvement, & Service/Repair
Contracts**

**Enacted
Chapter 385**

Clarifies that a person who qualifies for a contractor's license on behalf of an individual or firm as a partner, responsible managing officer or responsible managing employee, and then disassociates from such a license that has been referred to arbitration, is still responsible for complying with an arbitration award rendered as a result of acts or omissions that occurred while this person was still associated with the license. Revises and recasts existing home improvement and service/repair contracts, consolidating many of the existing requirements for these contracts and setting forth the required information, notices and disclosures to be included as part of these contracts.

**AB 341
Daucher**

Works of Improvement: Disputed Amounts

**Enacted
Chapter 156**

Would have revised existing law authorizing the withholding of disputed amounts owed to a contractor or subcontractor. The bill was later amended and now corrects a chaptering out that occurred earlier this year (2005) relating to the receipt of medical benefits under Medicare and Medi-Cal.

**AB 581
Klehs**

Public Works: Wages

Two Year Bill

Would require awarding bodies on public works projects to submit to the Contractors' State License Board (CSLB) the name and license number of all contractors and subcontractors awarded contracts, which the CSLB must then post on its Web site. Would provide that a licensee's failure to pay wages as required by the Labor Code is cause for disciplinary action by the CSLB, with or without a finding of a violation by the Labor Commissioner, and would provide that a joint labor-management committee could bring an action for violations of prevailing wage laws on public works within four years of a violation.

**AB 881
Emmerson**

Workers' Compensation: Roofers

Two Year Bill

Would require all licensed roofing contractors to have workers compensation insurance, would authorize the registrar of contractors to remove the roofing classification from a contractor license for failure to maintain workers' compensation insurance, and would require insurers who issue workers compensation policies to roofing contractors to perform annual audits of these policyholders, as specified, and would allow the insurers to recoup the cost of these audits through a policy surcharge.

**AB 886
Committee
on Business
and
Professions**

Home Inspectors: Clarification for Licensed Roofing Contractors

Two Year Bill

Would specify that repairs performed by a roofing contractor, licensed by the Contractors' State License Board, as a result of his or her roof inspection do not constitute an unfair business practice.

AB 1027 Horton, Jerome	<u>Criminal Investigation</u> Establishes a procedure for the Contractors' State License Board (Board) to receive information about licensees who have failed to secure adequate insurance. Requires the Franchise Tax Board to notify the Board of any criminal charges or arraignments against Board licensees related to the Revenue and Taxation Code.	Enacted Chapter 428
AB 1622 Liu	<u>Retention Caps for Private Works of Improvement</u> Would have provided that retention proceeds withheld from private works of improvement, by the owner to the original contractor, or by the original contractor to a subcontractor, or by subcontractor to subcontractor, would have been limited to maximum retention rates of 10% of each progress payment before the contract is 50% complete, and 5% of each progress payment after the contract is 50% complete. Would have provided that retention proceeds must be paid, with interest, 45 days after the completion by the contractor or subcontractor.	Vetoed
SB 232 Figueroa	<u>Boards and Commissions</u> Extends the sunset date for the Board of Podiatric Medicine, the Speech-Language Pathology and Audiology Board, the Physician Assistant Committee, the Respiratory Care Board, and the Contractors' State License Board. Extends the sunset date on the provision that limits physicians serving in underserved areas from supervising more than four physician assistants at a time.	Enacted Chapter 675
SB 488 Soto	<u>Contractors</u> Increases penalties for third or subsequent convictions of contracting without a license to not less than \$4,500 nor more than the greater amount of either \$10,000 or 20% of the contract price under which the unlicensed person performed contracting work or by imprisonment or by both that fine and imprisonment. Makes failure to comply with workers' compensation insurance requirements a misdemeanor under the Contractors' State License Law.	Enacted Chapter 205
SB 1112 Committee on Business, Professions and Economic Developmen t	<u>Architects and Contractors</u> Provides that appointments to the California Architects Board expire on June 30, instead of June 1, of the 4th year following the year in which the previous term expired. Clarifies bond requirements and arbitration proceedings administered by the Contractors' State License Board. Authorizes the registrar of contractors to issue a probationary license with specified terms and conditions.	Enacted Chapter 280

SB 1113
Committee
on
Business,
Professions
and
Economic
Development
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Landscape Architects, Engineers, and Contractors

Enacted
Chapter 48

Clarifies the practice exemption for licensed landscape contractors regulated by the Landscape Architects Technical Committee. Provides the Board of Professional Engineers and Land Surveyors with the authority to employ an executive officer until July 1, 2006, that coincides with its sunset date. Makes corrections to the home improvement and service and repair contract requirements enacted by SB 30 (Figueroa, Chapter 566, Statutes of 2004) and administered by the Contractors' State License Board.

(11) COURT REPORTERS BOARD

SB 229
Figueroa

Professions and Vocations

Enacted
Chapter 658

Extends the sunset dates for the Board of Psychology, Board of Behavioral Sciences, Court Reporters Board, and the Structural Pest Control Board from January 1, 2007 to January 1, 2009. Imposes a processing fee for reinstatement of a Respiratory Care Board license that has been revoked, suspended or surrendered.

(12) DENTAL BOARD / DENTAL AUXILIARIES

AB 205
Ruskin

Identification of Dentures

Enacted
Chapter 182

Provides that instead of requiring dentures to be marked with the patient's name or social security number unless the patient objects, the dentures are to be marked with the patient's name. Requires the dentist to inform the patient that his or her name is to be used for identification purposes only, and he or she can decide whether or not the dentures are to be marked.

AB 225
Negrete
McLeod

Remuneration for Processing Electronic Prescriptions

Two Year Bill

Would make an exception to the "anti-kickback law" which makes it a crime for health care providers to offer, deliver, receive, or accept money or other consideration for the referral of patients, clients, or customers to any person, with certain exceptions. Specifically, it would allow the provision of nonmonetary remuneration, in the form of hardware, software, or information technology and training services, that is necessary and used solely to receive and transmit electronic prescription information in accordance with the standards set forth in federal law.

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

AB 657 Karnette	<u>Information on Prescription Labels: Dentists</u>	Two Year Bill
	Would require prescription labels to include the intended purpose of the drug, if indicated on the prescription. Would require a physician, dentist, optometrist, podiatrist, and other specified drug prescribers, to ask the patient or the patient's authorized representative, whether to indicate the intended purpose of the prescription on the label.	
AB 1143 Emmerson	<u>Dentist Special Permits</u>	Enacted Chapter 534
	Establishes (1) two alternate pathways for a dentist to apply for a special permit if he or she meets certain requirements and (2) a fee cap for the issuance and renewal of special permits. Requires (1) the Dental Board (Board) to limit the number of special permits issued under the new alternate pathways to no more than five permits per pathway per dental school and (2) that an applicant for a special permit furnish satisfactory evidence of successfully completing an examination in California law and ethics developed and administered by the Board.	
AB 1268 Oropeza	<u>Advertising of Dental Specialty Credentials</u>	Two Year Bill
	Would repeal and recast provisions relating to the conditions under which a licensed dentist may advertise as a specialist or practicing in a specialty area.	
AB 1334 Salinas	<u>Prescription Requirement for Registered Dental Hygienists in Alternative Practice</u>	Two Year Bill
	Would remove the prescription requirement for registered dental hygienists in alternative practice and expand alternative hygienists' scope of hiring and supervision to include registered dental assistants.	
AB 1386 Laird	<u>Adult Oral Conscious Sedation for Dental Work</u>	Enacted Chapter 539
	Requires dentists who want to administer or supervise the administration of oral conscious sedation on a patient 13 years or older to meet certain requirements. Requires dentists, who have been issued a permit to administer general anesthesia, to complete 24 hours of Dental Board approved courses of study related to general anesthesia instead of 15 hours.	
SB 248 Figueroa	<u>Professions and Vocations</u>	Enacted Chapter 659
	Extends the sunset dates for the Dental Board and Committee on Dental Auxiliaries. Repeals and reconstitutes a new seven-member Acupuncture Board (Board) authorized until January 1, 2011, and allows the Board, with the approval of the Department of Consumer Affairs, to appoint an executive officer.	

SB 299 Chesbro	<u>Licensing of Out-of-State Dentists (Licensure by Credential)</u>	Two Year Bill
	Would remove the five-year active clinical experience requirement for two of three options offered for applicants seeking California licensure and replace it with a two-year requirement. Would restrict these two options to the location where the dentist has agreed to practice or teach/practice for two years, i.e., a primary care clinic or Dental Board approved dental education program.	
SB 438 Migden	<u>Oral and Maxillofacial Surgery</u>	Two Year Bill
	Would authorize oral and maxillofacial surgeons licensed as dentists by the Dental Board to perform "elective facial cosmetic surgical procedures" as defined, under specified circumstances.	
SB 683 Aanestad	<u>Alternative Pathway to Dental Licensure</u>	Two Year Bill
	Would create an alternate pathway to licensure and allow dental license applicants to complete at least a one-year, clinically based, postdoctoral general practice or specialty dental residency program instead of taking the Dental Board's clinical examination.	
SB 1108 Committee on Judiciary	<u>Maintenance Of The Codes</u>	Enacted Chapter 22
	Makes grammatical changes to existing law that governs the practice of dentistry. Makes grammatical changes and technical corrections to existing law that impacts the Board of Professional Engineers and Land Surveyors and its licensees.	
SB 1111 Committee on Business, Professions and Economic Development	<u>Health Omnibus</u>	Enacted Chapter 621
	Enacts, amends or repeals provisions relating to the following Department of Consumer Affairs boards: 1) Dental Board, 2) Medical Board, 3) Board of Podiatric Medicine, 4) Board of Occupational Therapy 5) Board of Registered Nursing, 6) Respiratory Care Board, (7) Board of Pharmacy and (8) Veterinary Medical Board. Among the more substantive provisions, provides new fees for the Dental Board's new specialty dental assisting categories, and a decrease in the Board of Pharmacy's licensing fee for out of state wholesaler facilities who have more than 20 locations in California.	

(13) ELECTRONIC & APPLIANCE REPAIR, BUREAU OF

AB 861 Bass	<u>Licensure Denial Exemptions</u>	Two Year Bill
	Would exempt Bureau of Automotive Repair, Board of Barbering and Cosmetology, Cemetery and Funeral Bureau, Bureau of Electronics and Appliance Repair, Bureau of Home Furnishings and Thermal Insulation and Structural Pest Control Board licensees from denial of licensure provisions for convictions of nonviolent drug possession or nonviolent or non-serious misdemeanors or felonies if specific requirements are met.	

(14) ENGINEERS & LAND SURVEYORS, BOARD FOR PROFESSIONAL

AB 180 Horton, Jerome	<u>Limited Liability Partnerships for Engineers and Land Surveyors</u>	Two Year Bill
	Would authorize limited liability partnerships and foreign limited liability partnerships to be formed for the practice of engineering or land surveying until January 1, 2009. Would require these partnerships to maintain a maximum security of \$7.5 million.	
SB 228 Figueroa	<u>Geologists/Geophysicists and Professional Engineers/Land Surveyors</u>	Enacted Chapter 657
	Extends the sunsets dates for the Board of Professional Engineers and Land Surveyors and the Board for Geologists and Geophysicists from January 1, 2007 to January 1, 2009. Deletes the provision of existing law allowing a person to have temporary authorization to practice as a professional land surveyor if certain conditions and qualifications exist.	
SB 246 Figueroa	<u>Board for Professional Engineers and Land Surveyors</u>	Two Year Bill
	Would extend the sunset dates for the Board for Professional Engineers and Land Surveyors and the executive officer from January 1, 2007 to January 1, 2013. Would discontinue the existing agricultural, industrial and metallurgical engineering title acts and establish chemical, control systems, fire protection, nuclear, petroleum and traffic engineering as practice acts. <i>Portions of this bill were moved to SB 228.</i>	
SB 752 Cox	<u>Engineering Licensure for Out-of-State Applicants</u>	Two Year Bill
	Would specify that if an out-of-state applicant for registration as a professional engineer in California has passed an examination in a branch of engineering not recognized in California, the Board for Professional Engineers and Land Surveyors (Board) may (rather than shall) register the applicant in a specific licensed branch of engineering in which his or her experience and education indicate the closest relationship, as long as the Board determines that the applicant meets the minimum qualifications for licensure in that branch.	
SB 1108 Committee on Judiciary	<u>Maintenance of the Codes</u>	Enacted Chapter 22
	Makes grammatical changes to existing law that governs the practice of dentistry. Makes grammatical changes and technical corrections to existing law that impacts the Board of Professional Engineers and Land Surveyors and its licensees.	

SB 1113
Committee
on
Business,
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Landscape Architects, Engineers, and Contractors

Enacted
Chapter 48

Clarifies the practice exemption for licensed landscape contractors regulated by the Landscape Architects Technical Committee. Provides the Board of Professional Engineers and Land Surveyors with the authority to employ an executive officer until July 1, 2006, that coincides with its sunset date. Makes corrections to the home improvement and service and repair contract requirements enacted by SB 30 (Figueroa, Chapter 566, Statutes of 2004) and administered by the Contractors' State License Board and clarifies that they are also applicable to swimming pool contractors.

(15) GEOLOGISTS & GEOPHYSICISTS, BOARD

SB 228
Figueroa

Geologists/Geophysicists and Professional Engineers/Land Surveyors

Enacted
Chapter 657

Extends the sunsets dates for the Board of Professional Engineers and Land Surveyors and the Board for Geologists and Geophysicists from January 1, 2007 to January 1, 2009. Deletes the provision of existing law allowing a person to have temporary authorization to practice as a professional land surveyor if certain conditions and qualifications exist.

(16) GUIDE DOGS FOR THE BLIND, STATE BOARD OF

No bills introduced in the 2005 legislative session.

(17) HEARING AID DISPENSERS BUREAU

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

AB 615
Vargas

Hearing Aids: Over-the-Counter Sales

Two Year Bill

Would authorize over-the-counter sales of hearing aids if consistent with federal law.

(18) HOME FURNISHINGS & THERMAL INSULATION, BUREAU

AB 861
Bass

Licensure Denial Exemptions

Two Year Bill

Would exempt Bureau of Automotive Repair, Board of Barbering and Cosmetology, Cemetery and Funeral Bureau, Bureau of Electronics and Appliance Repair, Bureau of Home Furnishings and Thermal Insulation and Structural Pest Control Board licensees from denial of licensure provisions for convictions of nonviolent drug possession or nonviolent or non-serious misdemeanors or felonies if specific requirements are met.

Would require the seller of a service contract on a home appliance or a home electronic product to honor its obligations under the contract for the full term of the contract as represented to the buyer at the time of purchase. Would provide that a seller's obligation under the contract may not be limited to a single product replacement or a maximum number of claims, and would provide that a service contract shall transfer to any replacement product that is replaced pursuant to a manufacturer's express warranty.

(19) LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

SB 1113
Committee
on
Business,
Professions
and
Economic
Development

Landscape Architects, Engineers, and Contractors

Enacted
Chapter 48

Clarifies the practice exemption for licensed landscape contractors regulated by the Landscape Architects Technical Committee. Provides the Board of Professional Engineers and Land Surveyors with the authority to employ an executive officer until July 1, 2006, that coincides with its sunset date. Makes corrections to the home improvement and service and repair contract requirements enacted by SB 30 (Figueroa, Chapter 566, Statutes of 2004) and administered by the Contractors' State License Board and clarifies that they are also applicable to swimming pool contractors.

(20) MEDICAL BOARD

AB 139
Committee
on Budget

State Government

Enacted
Chapter 74

Deletes continuously appropriated funding to various Department of Consumer Affairs' boards/bureaus. Modifies the continuous appropriation language to the Medical Board's Medically Underserved Account by requiring that the monies are to repay loans per agreements with physicians who practice in underserved areas. **(Urgency Measure)**

AB 225
Negrete
McLeod

Remuneration for Processing Electronic Prescriptions

Two Year Bill

Would make an exception to the "anti-kickback law" which makes it a crime for health care providers to offer, deliver, receive, or accept money or other consideration for the referral of patients, clients, or customers to any person, with certain exceptions. Specifically, it would allow the provision of nonmonetary remuneration, in the form of hardware, software, or information technology and training services, that is necessary and used solely to receive and transmit electronic prescription information in accordance with the standards set forth in federal law.

AB 327
De La Torre

Steven M. Thompson Physician Corps Loan Repayment Program

Enacted
Chapter 293

Permits the Medical Board (Board) to give a physician and surgeon the option of making a \$50 voluntary donation upon the initial issuance or biennial renewal of a physician and surgeon's certificate in order to fund the Steven M. Thompson Physician Corps Loan Repayment Program (Thompson Program). Specifies that the Board shall deposit any money collected pursuant to this bill in the Medically Underserved Account for the purpose of supporting the Thompson Program.

AB 366 Maze	<u>Health Care Peer Reviews</u>	Two Year Bill
	Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.	
AB 367 Nakanishi	<u>Physician and Surgeon License Fee Waiver</u>	Enacted Chapter 144
	Waives the initial license fee for physician and surgeon applicants who certify to the Medical Board that the issuance of the license is for the sole purpose of providing voluntary, unpaid service in a specified setting.	
AB 592 Yee	<u>Physicians and Surgeons</u>	Enacted Chapter 304
	Provides that a physician and surgeon may not be disciplined for unprofessional conduct solely on the basis that the advice or care rendered to a patient is alternative or complementary medicine, including the treatment of persistent Lyme Disease, if specified conditions are satisfied.	
AB 657 Karnette	<u>Information on Prescription Labels</u>	Two Year Bill
	Would require prescription labels to include the intended purpose of the drug, if indicated on the prescription. Would require a physician, dentist, optometrist, podiatrist, and other specified drug prescribers, to ask the patient or the patient's authorized representative, whether to indicate the intended purpose of the prescription on the label.	
AB 859 Bass	<u>Medical Assistants' Authorized Activities</u>	Two Year Bill
	Would authorize a medical assistant to perform specific medical treatment activities in certain licensed clinics without a license but only with the authorization of a physician assistant, a nurse practitioner or nurse-midwife.	
AB 920 Aghazarian	<u>California Physicians Corps Program</u>	Enacted Chapter 317
	Moves the Steven M. Thompson Physician Corps Loan Repayment Program and the Volunteer Physician Program from the Medical Board of California to the Health Professions Education Foundation within the Office of Statewide Health Planning and Development as of July 1, 2006.	
AB 1195 Coto	<u>Continuing Education: Cultural and Linguistic Competency</u>	Enacted Chapter 514
	Requires all continuing medical education courses, unless exempted, to contain curriculum pertaining to cultural and linguistic competency in the practice of medicine by July 1, 2006.	

SB 231 Figueroa	<u>Medical Board of California</u>	Enacted Chapter 674
	Extends the sunset date for the Medical Board (Board) from January 1, 2007 to January 1, 2011. Requires licensees to inform the Board when they are subject to various court judgments and convictions. Increases the Board's licensing fees and requires the Joint Committee on Boards, Commissions and Consumer Protection to examine the Board's composition and fees and report all findings to the Governor and Legislature no later than July 1, 2008.	
SB 232 Figueroa	<u>Boards and Commissions</u>	Enacted Chapter 675
	Extends the sunset date for the Board of Podiatric Medicine, the Speech-Language Pathology and Audiology Board, the Physician Assistant Committee, the Respiratory Care Board, and the Contractors' State License Board. Extends the sunset date on the provision that limits physicians serving in underserved areas from supervising more than four physician assistants at a time.	
SB 279 Cedillo	<u>Physicians and Surgeons: Locum Tenens Services</u>	Enacted Chapter 596
	Provides that temporary staffing agencies, commonly referred to as locum tenens agencies, are not an employer of the physicians they place.	
SB 401 Ortiz	<u>Medical Information: Pharmacies: Marketing</u>	Two Year Bill
	Would prohibit a pharmacy from providing its customers with marketing communication about drugs or treatments not currently being dispensed to the customer when the communication is paid for or sponsored by a prescription drug manufacturer, labeler or distributor.	
SB 438 Migden	<u>Oral and Maxillofacial Surgery</u>	Two Year Bill
	Would authorize oral and maxillofacial surgeons licensed as dentists by the Dental Board to perform "elective facial cosmetic surgical procedures" as defined, under specified circumstances.	
SB 524 Torlakson	<u>Primary Care Physicians: Continuing Education</u>	Two Year Bill
	Would require physicians who treat patients for depression and other related ailments to complete continuing education courses on Selective Serotonin Reuptake Inhibitors and newer classes of antidepressants as a condition of their medical license renewal.	
SB 583 Figueroa	<u>Cancer Treatment</u>	Two Year Bill
	Would provide that a licensed physician who provides treatment to cancer patients is not subject to discipline by the Medical Board of California solely on the basis that the physician's treatment or advice is "alternative or complementary medicine" if specified conditions are satisfied.	

**SB 736
Speier**

Healing Arts: Financial Interest Reporting

Two Year Bill

Would require the Medical Board (Board) to report to the Legislature by July 1, 2006, all information submitted to the Board on and after January 1, 2000, by healing arts licensees regarding the financial interest that the licensees or their immediate family members may have in a health-related facility.

**SB 932
Kuehl**

Process for Hospital Physicians' and Surgeons' Peer Review

Two Year Bill

Would state the intent of the Legislature to ensure that the hospital peer review process is structured to protect the public as well as the oversight functions of hospitals and medical staff.

**SB 1111
Committee
on
Business,
Professions
and
Economic
Development**

Health Omnibus

**Enacted
Chapter 621**

Enacts, amends or repeals provisions relating to the following Department of Consumer Affairs boards: 1) Dental Board, 2) Medical Board, 3) Board of Podiatric Medicine, 4) Board of Occupational Therapy 5) Board of Registered Nursing, 6) Respiratory Care Board, 7) Board of Pharmacy and 8) Veterinary Medical Board. Among the more substantive provisions, provides new fees for the Dental Board new specialty dental assisting categories, and a decrease in the Board of Pharmacy's licensing fee for out of state wholesaler facilities who have more than 20 locations in California.

(21) NATUROPATHIC MEDICINE

**AB 302
Committee
on Business
and
Professions**

Naturopathic Doctors: Prescriptions

**Enacted
Chapter 506**

Clarifies when an architect is required to report a settlement of a claim in specified circumstances. Makes various changes to the Naturopathic Doctor's Act and Pharmacy Law to recognize the ability of naturopathic doctors to prescribe certain treatments and medicines.

(22) OCCUPATIONAL THERAPY, BOARD OF

**AB 366
Maze**

Health Care Peer Reviews: Occupational Therapists

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

SB 1111
Committee
on
Business,
Professions
and
Economic
Development
t

Health Omnibus

Enacted
Chapter 621

Enacts, amends or repeals provisions relating to the following Department of Consumer Affairs boards: 1) Dental Board, 2) Medical Board, 3) Board of Podiatric Medicine, 4) Board of Occupational Therapy 5) Board of Registered Nursing, 6) Respiratory Care Board, (7) Board of Pharmacy and (8) Veterinary Medical Board. Among the more substantive provisions, provides new fees for the Dental Board's new specialty dental assisting categories, and a decrease in the Board of Pharmacy's licensing fee for out of state wholesaler facilities who have more than 20 locations in California.

(23) OFFICE OF PRIVACY PROTECTION

AB 361
Runner,
Sharon

Notaries Public: Identity Theft

Enacted
Chapter 295

Requires a court to revoke a notary public's commission upon conviction of any offense related to his or her duties, or of any felony, and requires the surrender of his or her seal to the court. Also makes it a misdemeanor for any person to solicit, coerce, or influence a notary public to perform an improper notarial act, and for a notary public to willfully fail to perform the required duties of a notary public or to willfully fail to keep the seal of the notary under his or her direct and exclusive control.

AB 424
Calderon

Identity Theft

Two Year Bill

Would revise the definition of "person" in existing laws relating to identity theft to include a firm, association, organization, partnership, business trust, company, corporation, limited liability company or other public entity and revise the definition of personal identifying information to include an equivalent form of identification.

AB 618
Cogdill

Identity Theft

Two Year Bill

Would provide that a second or subsequent conviction of identity theft is punishable by imprisonment in state prison for up to four years. Would clarify that those convicted of identity theft are also guilty of grand theft, which is punishable by imprisonment in a county jail up to one year or state prison.

AB 1035
Spitzer

Public Officials: Disclosing Residence Information

Two Year Bill

Would expand current law to prohibit any person from knowingly posting on the internet, hosting a web site that posts, or disclosing a public official's home address or telephone number. Would allow an official who is a victim of these provisions to recover actual damages and punitive damages, and other relief that a court deems appropriate.

AB 1036
Koretz

Identity Theft

Two Year Bill

Would expand the definition of identity theft to include unauthorized retention and transfer of personal identifying information. Would also add the county of the victim's residence to the jurisdiction where a criminal action may be brought for such crimes.

**AB 1069
Montanez**

Deceptive Identification Documents

**Enacted
Chapter 326**

Makes it a misdemeanor crime to possess deceptive identification document-making devices with the intent that the devices will be used to manufacture, alter, or authenticate a deceptive identification document. Allows document-making devices to be seized by and forfeited to or destroyed by law enforcement upon a court order.

**AB 1566
Calderon**

Identity Theft

**Enacted
Chapter 432**

Provides that every person who, with the intent to defraud, acquires, transfers, or retains possession of the personal identifying information of another person who is in the armed forces and is deployed, as defined, to a location outside of the state is guilty of a public offense, and upon conviction therefore, shall be punished by imprisonment in a county jail not to exceed one year, or a fine not to exceed fifteen hundred dollars (\$1,500), or by both that imprisonment and fine.

**AB 1581
Garcia**

Identity Theft: Alternate Felony-Misdemeanor

Two Year Bill

Would create a new alternate felony-misdemeanor for a person who intends to defraud, acquire, retain or transfer the personal identifying information of 100 or more people.

**AB 1595
Evans**

Public Officials: Disclosing Personal Information

**Enacted
Chapter 343**

Expands existing law prohibiting posting public official's personal information on the Internet with the intent to cause bodily harm to also prohibit the public posting and displaying of this information if the official has made a written request that the information not be disclosed. Also expands the law to prohibit soliciting, selling, or trading this information on the Internet with the intent to cause bodily harm, and allows the official recourse through court orders and civil penalties if the official's personal information is solicited, sold, or traded with the intent to cause bodily harm.

**AB 1694
Leno**

Consumer Credit Reporting

Two Year Bill

Would require a consumer credit reporting agency, upon the request of a consumer whose personal information was breached by a computerized data system, to place a security freeze on the consumer's credit report without charge to the consumer for this service. Also, would require a consumer credit reporting agency to notify each consumer who is the subject of a consumer credit report of each instance that a new account is entered on the consumer's report if the address on the credit application is different from the last address on record held by the consumer credit reporting agency.

**AB 1741
Committee
on Judiciary**

Voter Information: Privacy

**Enacted
Chapter 121**

Prohibits persons from sending voter and petition information outside of the United States.

**SB 13
Bowen**

Personal Information

**Enacted
Chapter 241**

Permits an agency to disclose information to the University of California or a nonprofit educational institution conducting research only if the request is approved by the Committee for the Protection of Human Subjects of the California Health and Human Services Agency. Eliminates the general exemption of any state agency to disclose personal information for research purposes and specifically prohibits the California Department of Social Services from releasing any personal information in case records in a manner that links that information to the individual.

**SB 97
Murray**

Spam: Enhanced Criminal Penalties

**Enacted
Chapter 247**

Provides that a person who violates California's anti-spam law by sending unsolicited commercial electronic mail ("spam"), has committed a misdemeanor punishable by a fine of not more than \$1,000, imprisonment in a county jail for not more than six months, or by both the fine and imprisonment.

**SB 101
Battin**

Employee Compensation: Identification Number

**Enacted
Chapter 103**

Prohibits an employer from including more than the last four digits of an employee's social security number or other identification number on the employee's itemized statement furnished at the time of payment of wages to an employee.

**SB 202
Simitian**

Privacy: Telephone Calling Pattern Record or List

Two Year Bill

Would make it a crime, punishable by fine or imprisonment or both, to purchase, sell, offer to purchase or sell, or conspire to purchase or sell, any telephone calling pattern record or list, as specified, without the written consent of the person making the call and of each person called.

**SB 355
Murray**

Internet Regulation

**Enacted
Chapter 437**

Prohibits Internet "phishing" and provides for civil remedies and civil penalties. Specifically, prohibits a person from soliciting, requesting, or taking any action to induce another person to provide identifying information by representing him or herself to be a business without the approval of that business.

**SB 440
Speier**

Personal Information

Two Year Bill

Would require a state agency, or any person contracting with a state agency, to encrypt all personal information, as defined, that is owned by the state and stored or transported on a portable computing or electronic storage device. Also, would prohibit a business, as defined, from discriminating against or denying a qualified consumer a product or service, or from charging a higher price for a product or service, because the consumer has not provided consent to disclose or share covered personal information about him or her, except as provided.

SB 451 Poochigian	<u>Thumbprint and Fingerprint Identification</u>	Two Year Bill
	Would authorize the Department of Motor Vehicles to collect more than one finger or thumbprint when a person applies for a driver's license or identification card and would provide that a finger or thumbprint may only be used for identifying the license applicant, determining whether he or she may be issued a license and investigating fraud.	
SB 460 Margett	<u>Offenders' Access to Personal Identifying Information</u>	Enacted Chapter 259
	Prohibits any offender confined in a county facility or the Department of Corrections and Rehabilitation from being employed in or performing any work that grants them access to the personal identifying information of private citizens.	
SB 504 Alquist	<u>Identity Theft Related to Purchases from Vehicle Dealerships</u>	Two Year Bill
	Would prohibit a licensed motor vehicle dealer from selling or leasing a vehicle through long term financing or credit card without first obtaining the right-hand thumbprint, with specific exceptions, and a valid photo identification of the purchaser/lessee. Would authorize a peace officer to inspect and seize a thumbprint or fingerprint card if the officer is acting within his/her scope of duties in response to a search warrant.	
SB 550 Speier	<u>Data Brokers</u>	Two Year Bill
	Would regulate the disclosure of personal information by data brokers and would provide consumers with access to their personal information collected by data brokers. Also, would require data brokers to reinvestigate disputed items of information. Would provide for civil actions and remedies for violation.	
SB 682 Simitian	<u>Identity Information Protection Act of 2005</u>	Two Year Bill
	Would prohibit the use of contactless integrated circuits encoded with personal information in government issued identification documents. Also, would prohibit the use of contactless integrated circuits encoded with a unique personal identifier number in government issued identification documents unless they meet a specified minimum level of encryption and contain mutual authentication but would provide exceptions to the above if the system is in place by January 1, 2006. Would make it a crime to remotely scan a person's identification document without the knowledge of that person.	
SB 768 Simitian	<u>Identity Information Protection Act of 2005</u>	Two Year Bill
	Would require identification documents, except as specified, that are created, mandated, purchased, or issued by various public entities that use radio waves to broadcast personal information, or to enable personal information to be read remotely, to meet specified requirements. Would provide that a person or entity that intentionally remotely reads or attempts to remotely read a person's identification document using radio waves without his or her knowledge shall be punished by imprisonment or a fine or both.	

SB 802
Simitian

Debit Card Receipts

Enacted
Chapter 445

Prohibits a person or business that accepts credit cards or debit cards from printing more than the last five digits of a debit card account number or the expiration date upon any receipt, except as specified.

SB 839
Poohigian

Identity Theft

Two Year Bill

Would create the Identity Theft Traffickers Act of 2005, and provide that every person with the intent to defraud, sell, transfer or convey the personal identifying information of another person without consent, or within a 12 month period acquires the personal information of 4 or more people known to the person and, which information is known to be identity theft is guilty of grand theft and punishable by imprisonment in county jail up to one year or in a state prison up to 16 months. Would provide sentence enhancements for repeat crimes or crimes against minors or uniformed service people.

SB 852
Bowen

Identity Theft

Two Year Bill

Would expand on current law by requiring companies and public agencies to notify a consumer anytime his or her personal information is lost, stolen, or accessed by the wrong person, regardless of whether the data was computerized when it was acquired.

SB 1016
Bowen

Voter Information: Privacy

Enacted
Chapter 726

Makes voters' signature confidential, except for purposes of challenging a vote. Requires disclosure to registrants that only one type of identification number need be provided, as specified. Extends the requirement that initiative proponents and signature gatherers sign a statement acknowledging the law regarding the appropriate use of the signatures gathered and provide that they must execute and submit a signed statement acknowledging that it is a misdemeanor under state law to knowingly or willfully allow the signature on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot.

(24) OPTOMETRY, BOARD OF

AB 225
Negrete
McLeod

Remuneration for Processing Electronic Prescriptions

Two Year Bill

Would make an exception to the "anti-kickback law" which makes it a crime for health care providers to offer, deliver, receive, or accept money or other consideration for the referral of patients, clients, or customers to any person, with certain exceptions. Specifically, it would allow the provision of nonmonetary remuneration, in the form of hardware, software, or information technology and training services, that is necessary and used solely to receive and transmit electronic prescription information in accordance with the standards set forth in federal law.

AB 366 Maze	<u>Health Care Peer Reviews</u>	Two Year Bill
	Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.	
AB 370 Aghazarian	<u>Optometry: Accusations</u>	Enacted Chapter 186
	Requires the Optometry Board (Board) to file an accusation against a licensee within three years after the Board discovers the act or omission that is the subject of proceedings, or within seven years after the act or omission occurred, whichever comes first. Accusations alleging fraud or willful misrepresentation, unprofessional conduct based on incompetence, gross negligence or repeated negligent acts, are excluded from the statute of limitations established by this bill. Alleged acts of sexual abuse, misconduct, or relations with a minor patient shall delay the statute of limitations until the minor reaches the age of maturity.	
AB 488 Bermudez	<u>Optometry</u>	Enacted Chapter 393
	Authorizes the Optometry Board (Board) to issue a probationary license to an applicant guilty of unprofessional conduct or any cause that would subject a licensee to revocation or suspension of his or her license and provides that the probationary license would be subject to specified terms and conditions that may be modified or terminated at the discretion of the Board. Eliminates the legislative reporting mandate regarding fee increases and the grace period of 30 days before a delinquency fee is assessed to a license late for renewal, and requires all late renewals to be assessed the delinquency fee.	
AB 657 Karnette	<u>Information on Prescription Labels</u>	Two Year Bill
	Would require prescription labels to include the intended purpose of the drug, if indicated on the prescription. Would require a physician, dentist, optometrist, podiatrist, and other specified drug prescribers, to ask the patient or the patient's authorized representative, whether to indicate the intended purpose of the prescription on the label.	
AB 1382 Nakanishi	<u>Contact Lenses: Advertising Restrictions</u>	Two Year Bill
	Would expand existing law to make the advertising or sales presentation relating to contact lenses that represents that contacts could be obtained without confirmation of a valid prescription a deceptive business practice when done by any person, not just specified health care professionals.	
SB 579 Aanestad	<u>Optometry Advertisements</u>	Two Year Bill
	Would revise the optometry advertising provisions to prohibit advertising optometric services as being free or without cost where the services are contingent upon other purchases, unless the contingency is fully disclosed in the advertisement.	

(25) OSTEOPATHIC MEDICAL BOARD

AB 268
Matthews

Osteopathic Medical Board: Reporting Requirements

Enacted
Chapter 216

Makes technical, clarifying changes to existing law stating that reports of misconduct in various circumstances relating to licensees of the Osteopathic Medical Board be made to that board.

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

AB 657
Karnette

Information on Prescription Labels

Two Year Bill

Would require prescription labels to include the intended purpose of the drug, if indicated on the prescription. Would require a physician, dentist, optometrist, podiatrist, and other specified drug prescribers, to ask the patient or the patient's authorized representative, whether to indicate the intended purpose of the prescription on the label.

SB 230
Figueroa

Osteopathic Medical Board of California: Report

Two Year Bill

Would require the Osteopathic Medical Board to submit a report to the Joint Committee on Boards, Commissions and Consumer Protection by September 1, 2010. *This bill was amended and all content was moved to SB 248.*

SB 248
Figueroa

Professions and Vocations

Enacted
Chapter 659

Extends the sunset dates for the Dental Board and Committee on Dental Auxiliaries. Repeals and reconstitutes a new seven-member Acupuncture Board (Board) authorized until January 1, 2011, and allows the Board, with the approval of the Department of Consumer Affairs, to appoint an executive officer. Also requires the Osteopathic Medical Board to submit a report to the Joint Committee on Boards, Commissions and Consumer Protection by September 1, 2010.

SB 583
Figueroa

Cancer Treatment

Two Year Bill

Would provide that a licensed physician who provides treatment to cancer patients is not subject to discipline by the Medical Board solely on the basis that the physician's treatment or advice is "alternative or complementary medicine" if specified conditions are satisfied.

(26) PHARMACY, BOARD OF

**AB 21
Levine**

Pharmacists Required to Dispense Lawful Prescription

Two Year Bill

Would require a pharmacist to dispense a lawful prescription unless the prescription is contraindicated for the patient, the particular drug is out of stock, or the pharmacist elects to refuse on ethical, moral, or religious grounds, as long as the employer has been notified of these grounds and has established policies and protocols to accommodate the patient's need for the drug. Would make violation of those provisions, as well as harassment of a patient, unprofessional conduct subject to disciplinary action by the board.

**AB 225
Negrete
McLeod**

Remuneration for Processing Electronic Prescriptions

Two Year Bill

Would make an exception to the "anti-kickback law" which makes it a crime for health care providers to offer, deliver, receive, or accept money or other consideration for the referral of patients, clients, or customers to any person, with certain exceptions. Specifically, it would allow the provision of nonmonetary remuneration, in the form of hardware, software, or information technology and training services, that is necessary and used solely to receive and transmit electronic prescription information in accordance with the standards set forth in federal law.

**AB 283
Koretz**

Ephedrine and Pseudoephedrine: Retail Sale Regulations

Two Year Bill

Would require a retailer to store any compound, mixture, preparation, or product that contains any detectable quantity of ephedrine, pseudoephedrine, or any derivative of ephedrine or pseudoephedrine, or any detectable quantity of salt, optical isomer, or salt of an optical isomer of ephedrine, pseudoephedrine, or any derivative of ephedrine or pseudoephedrine in a locked cabinet, or in such a manner that the product is accessible only with the assistance of the retailer or an employee of the retailer.

**AB 288
Mountjoy**

Pharmacies: Prescription Container Labeling

Two Year Bill

Would require prescription labels to include the condition for which a drug is prescribed, unless the patient, physician, or a parent or legal guardian of a minor patient requests that the information be omitted.

**AB 366
Maze**

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

AB 497 Negrete McLeod	<u>Surety Bonds and License Fees for Nonresident Drug Wholesalers and Manufacturers</u>	Enacted Chapter 301
	Allows a nonresident wholesaler of pharmaceutical drugs to submit a single surety bond for all licensed distribution sites, excludes bond requirement for certain facilities, as well as reduces the application fee for wholesalers who have more than 20 facilities to \$225 which may be increased to \$300, for every location after the first 20 are licensed.	
AB 522 Plescia	<u>Pharmacy: Automated Drug Delivery System</u>	Enacted Chapter 469
	Defines pharmacy services; requires a pharmacist reviewing an order for a drug to check for contraindications and adverse drug reactions; and prevents licensed personnel from accessing a different drug or dose of a drug than that ordered by the prescriber and reviewed by a pharmacist.	
AB 595 Negrete McLeod	<u>Pharmacy: Compounding of Prescription Drugs</u>	Two Year Bill
	Would define compounding of prescription drugs and establish standards for pharmacies that compound drug products for patients.	
AB 657 Karnette	<u>Information on Prescription Labels</u>	Two Year Bill
	Would require prescription labels to include the intended purpose of the drug, if indicated on the prescription. Would require a physician, dentist, optometrist, podiatrist, and other specified drug prescribers, to ask the patient or the patient's authorized representative, whether to indicate the intended purpose of the prescription on the label.	
SB 152 Speier	<u>Pseudoephedrine</u>	Two Year Bill
	Would prohibit the furnishing of a pseudoephedrine product by any individual other than a pharmacist or pharmacy technician in a pharmacy and would place a limit on the amount one could acquire in a thirty-day period.	
SB 307 Simitian	<u>Dextromethorphan: Sale to Minors Prohibited</u>	Two Year Bill
	Would prohibit the over-the-counter sale, without a prescription, of a non-prescription drug containing dextromethorphan to a person under 18 years of age.	
SB 592 Aanestad	<u>Acute Care Hospitals: Inpatient Pharmacy Technician Services</u>	Two Year Bill
	Would allow general acute care hospitals to implement and operate programs using specially trained pharmacy technicians to check the work of other pharmacy technicians under prescribed conditions and circumstances.	

SB 644
Ortiz

Dispensing Prescription Drugs and Devices: Requirements

Enacted
Chapter 417

Requires a health care licensee to dispense a lawful prescription except in specified circumstances, which include if the drug is not stocked or if the licensee has an ethical, moral, or religious objection to dispensing the prescription. Requires that the licensee's employer form protocols to allow a patient to obtain the prescription without undue hardship to provide reasonable accommodation to the licensee who has expressed an objection to dispensing the prescription on these grounds.

SB 734
Torlakson

Controlled Substances

Enacted
Chapter 487

Makes technical and clean-up changes to facilitate the effective operation of the Controlled Substances Utilization Review and Evaluation System and the program duties of the Bureau of Narcotics Enforcement, within the Department of Justice (DOJ) and the Board of Pharmacy. Creates a new fee payable by doctors to the DOJ to fund background checks required for security printer approval.

SB 1111
Committee
on
Business,
Professions
and
Economic
Development

Health Omnibus

Enacted
Chapter 621

Enacts, amends or repeals provisions relating to the following Department of Consumer Affairs boards: 1) Dental Board, 2) Medical Board, 3) Board of Podiatric Medicine, 4) Board of Occupational Therapy 5) Board of Registered Nursing, 6) Respiratory Care Board, (7) Board of Pharmacy and (8) Veterinary Medical Board. Among the more substantive provisions, provides new fees for the Dental Board's new specialty dental assisting categories, and a decrease in the Board of Pharmacy's licensing fee for out of state wholesaler facilities who have more than 20 locations in California.

(27) PHYSICAL THERAPY BOARD

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

(28) PHYSICIAN ASSISTANT COMMITTEE

AB 225
Negrete
McLeod

Remuneration for Processing Electronic Prescriptions

Two Year Bill

Would make an exception to the "anti-kickback law" which makes it a crime for health care providers to offer, deliver, receive, or accept money or other consideration for the referral of patients, clients, or customers to any person, with certain exceptions. Specifically, it would allow the provision of nonmonetary remuneration, in the form of hardware, software, or information technology and training services, that is necessary and used solely to receive and transmit electronic prescription information in accordance with the standards set forth in federal law.

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

SB 232
Figueroa

Boards and Commissions

Enacted
Chapter 675

Extends the sunset date for the Board of Podiatric Medicine, the Speech-Language Pathology and Audiology Board, the Physician Assistant Committee, the Respiratory Care Board, and the Contractors' State License Board. Extends the sunset date on the provision that limits physicians serving in underserved areas from supervising more than four physician assistants at a time.

(29) PODIATRIC MEDICINE, BOARD OF

AB 225
Negrete
McLeod

Nonmonetary Remuneration for Processing Electronic Prescriptions

Two Year Bill

Would make an exception to the "anti-kickback law" which makes it a crime for health care providers to offer, deliver, receive, or accept money or other consideration for the referral of patients, clients, or customers to any person, with certain exceptions. Specifically, it would allow the provision of nonmonetary remuneration, in the form of hardware, software, or information technology and training services, that is necessary and used solely to receive and transmit electronic prescription information in accordance with the standards set forth in federal law.

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

AB 657
Karnette

Information on Prescription Labels

Two Year Bill

Would require prescription labels to include the intended purpose of the drug, if indicated on the prescription. Would require a physician, dentist, optometrist, podiatrist, and other specified drug prescribers, to ask the patient or the patient's authorized representative, whether to indicate the intended purpose of the prescription on the label.

SB 232
Figueroa

Boards and Commissions

Enacted
Chapter 675

Extends the sunset date for the Board of Podiatric Medicine, the Speech-Language Pathology and Audiology Board, the Physician Assistant Committee, the Respiratory Care Board, and the Contractors' State License Board. Extends the sunset date on the provision that limits physicians serving in underserved areas from supervising more than four physician assistants at a time.

**SB 1111
Committee
on
Business,
Professions
and
Economic
Developmen
t**

Health Omnibus

**Enacted
Chapter 621**

Enacts, amends or repeals provisions relating to the following Department of Consumer Affairs boards: 1) Dental Board, 2) Medical Board, 3) Board of Podiatric Medicine, 4) Board of Occupational Therapy 5) Board of Registered Nursing, 6) Respiratory Care Board, (7) Board of Pharmacy and (8) Veterinary Medical Board. Among the more substantive provisions, provides new fees for the Dental Board's new specialty dental assisting categories, and a decrease in the Board of Pharmacy's licensing fee for out of state wholesaler facilities who have more than 20 locations in California.

(30) PRIVATE POSTSECONDARY & VOCATIONAL EDUCATION, BUREAU
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**AB 827
Goldberg**

Private Postsecondary Education: Tuition Loans

Two Year Bill

Would prohibit a private postsecondary or vocational institution from enforcing tuition loans that fail to meet certain enumerated requirements.

**AB 840
Arambula**

Private Postsecondary Education: Accreditation

Two Year Bill

Would exempt educational institutions accredited by specified national accrediting bodies from programmatic and institutional review and approval by the Bureau for Private Postsecondary and Vocational Education.

**AB 1532
Bass**

Private Postsecondary Institution: Complaints for Damages

Two Year Bill

Would enact detailed timeframes for the filing of complaints against institutions regulated by the Department of Consumer Affairs' Bureau for Private Postsecondary and Vocational Education (Bureau) under the Private Postsecondary and Vocational Education Reform Act of 1989. Would also provide a timeline for the Bureau's responses to these complaints, its disposition of these complaints, and the execution of the Bureau's decisions with respect to these complaints.

**SB 445
Ducheny**

Commission on Statewide Postsecondary Education Policy and Planning

Two Year Bill

Would reconstitute the California Postsecondary Education Commission into a new entity entitled, The California Commission on Statewide Postsecondary Education Policy and Planning (Commission). Would give the Commission the responsibility of approving and regulating private degree-granting postsecondary educational institutions that participate in Title IV student financial aid programs and that are not accredited by a regional accrediting association recognized by the United States Department of Education.

(31) PSYCHOLOGY, BOARD OF

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

SB 229
Figueroa

Professions and Vocations

Enacted
Chapter 658

Extends the sunset dates for the Board of Psychology, Board of Behavioral Sciences, Court Reporters Board, and the Structural Pest Control Board from January 1, 2007 to January 1, 2009. Imposes a processing fee for reinstatement of a Respiratory Care Board license that has been revoked, suspended or surrendered.

(32) REGISTERED NURSING, BOARD OF

AB 225
Negrete
McLeod

Remuneration for Processing Electronic Prescriptions

Two Year Bill

Would make an exception to the "anti-kickback law" which makes it a crime for health care providers to offer, deliver, receive, or accept money or other consideration for the referral of patients, clients, or customers to any person, with certain exceptions. Specifically, it would allow the provision of nonmonetary remuneration, in the form of hardware, software, or information technology and training services, that is necessary and used solely to receive and transmit electronic prescription information in accordance with the standards set forth in federal law.

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

SB 614
Figueroa

Certified Nurse-Midwives

Enacted
Chapter 266

Expands the locations where certified nurse-midwives can furnish Schedule II medication from hospital settings to all the health care settings in which they provide care.

**SB 1111
Committee
on
Business,
Professions
and
Economic
Development**

Health Omnibus

**Enacted
Chapter 621**

Enacts, amends or repeals provisions relating to the following Department of Consumer Affairs boards: 1) Dental Board, 2) Medical Board, 3) Board of Podiatric Medicine, 4) Board of Occupational Therapy 5) Board of Registered Nursing, 6) Respiratory Care Board, (7) Board of Pharmacy and (8) Veterinary Medical Board. Among the more substantive provisions, provides new fees for the Dental Board's new specialty dental assisting categories, and a decrease in the Board of Pharmacy's licensing fee for out of state wholesaler facilities who have more than 20 locations in California.

(33) RESPIRATORY CARE BOARD

**AB 366
Maze**

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

**SB 232
Figueroa**

Boards and Commissions: Respiratory Care

**Enacted
Chapter 675**

Extends the sunset date for the Board of Podiatric Medicine, the Speech-Language Pathology and Audiology Board, the Physician Assistant Committee, the Respiratory Care Board, and the Contractors' State License Board. Extends the sunset date on the provision that limits physicians serving in underserved areas from supervising more than four physician assistants at a time.

**SB 1111
Committee
on
Business,
Professions
and
Economic
Development**

Health Omnibus

**Enacted
Chapter 621**

Enacts, amends or repeals provisions relating to the following Department of Consumer Affairs boards: 1) Dental Board, 2) Medical Board, 3) Board of Podiatric Medicine, 4) Board of Occupational Therapy 5) Board of Registered Nursing, 6) Respiratory Care Board, (7) Board of Pharmacy and (8) Veterinary Medical Board. Among the more substantive provisions, provides new fees for the Dental Board's new specialty dental assisting categories, and a decrease in the Board of Pharmacy's licensing fee for out of state wholesaler facilities who have more than 20 locations in California.

(34) SECURITY & INVESTIGATIVE SERVICES, BUREAU OF

AB 481
Calderon

Repossessors

Vetoed

Would have provided that a reposessor has no obligation to determine whether an accessory or equipment is a personal effect. Would have authorized the party in possession of the collateral at the time of the repossession to waive the debtor's right to an inventory of personal effects and allow the collateral to be taken. Would have prohibited any person from interfering, as defined in the Penal code, with a reposessor once the repossession is complete. Would have further defined repossession as complete when the reposessor gains access to or entrance into the collateral.

SB 194
Maldonado

Proprietary Private Security Officers: License Program

Enacted
Chapter 655

Requires proprietary private security guards to comply with licensing requirements and register with the Bureau of Security and Investigative Services within the Department of Consumer Affairs.

(35) SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY BOARD

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

SB 232
Figueroa

Boards and Commissions

Enacted
Chapter 675

Extends the sunset date for the Board of Podiatric Medicine, the Speech-Language Pathology and Audiology Board, the Physician Assistant Committee, the Respiratory Care Board, and the Contractors' State License Board. Extends the sunset date on the provision that limits physicians serving in underserved areas from supervising more than four physician assistants at a time.

(36) STRUCTURAL PEST CONTROL BOARD

AB 87
Bermudez

Trapping Licenses: Exemptions

Two Year Bill

Would exempt structural pest control operators licensed by the Structural Pest Control Board from obtaining a trapping license from the Department of Fish and Game when trapping certain mammals, and would instead require that they be trained and tested by Fish and Game regulations.

AB 552
La Suer

Structural Pest Control: Timelines for Notices and Actions

Two Year Bill

Would require that the lead agency charging a person with pesticide misuse, either the county agricultural commissioner or the Structural Pest Control Board, to send a notice of proposed action within 60 days of the initial notice of violation. Also, would provide that if the proposed action is not taken within 90 days after specific dates, the citation shall be dismissed with prejudice.

AB 861
Bass

Licensure Denial Exemptions

Two Year Bill

Would exempt Bureau of Automotive Repair, Board of Barbering and Cosmetology, Cemetery and Funeral Bureau, Bureau of Electronics and Appliance Repair, Bureau of Home Furnishings and Thermal Insulation and Structural Pest Control Board licensees from denial of licensure provisions for convictions of nonviolent drug possession or nonviolent or non-serious misdemeanors or felonies if specific requirements are met.

SB 229
Figueroa

Professions and Vocations

Enacted
Chapter 658

Extends the sunset dates for the Board of Psychology, Board of Behavioral Sciences, Court Reporters Board, and the Structural Pest Control Board from January 1, 2007 to January 1, 2009. Imposes a processing fee for reinstatement of a Respiratory Care Board license that has been revoked, suspended or surrendered.

(37) SUNSET REVIEW

SB 228
Figueroa

Geologists/Geophysicists and Professional Engineers/Land Surveyors

Enacted
Chapter 657

Extends the sunsets dates for the Board of Professional Engineers and Land Surveyors and the Board for Geologists and Geophysicists from January 1, 2007 to January 1, 2009. Deletes the provision of existing law allowing a person to have temporary authorization to practice as a professional land surveyor if certain conditions and qualifications exist.

SB 229
Figueroa

Professions and Vocations: Sunset Review

Enacted
Chapter 658

Extends the sunset dates for the Board of Psychology, Board of Behavioral Sciences, Court Reporters Board, and the Structural Pest Control Board from January 1, 2007 to January 1, 2009. Imposes a processing fee for reinstatement of a Respiratory Care Board license that has been revoked, suspended or surrendered.

SB 230 Figueroa	<u>Osteopathic Medical Board of California: Report</u>	Two Year Bill
	Would require the Osteopathic Medical Board to submit a report to the Joint Committee on Boards, Commissions and Consumer Protection by September 1, 2010. <i>This bill was amended and all content was moved to SB 248.</i>	
SB 231 Figueroa	<u>Medical Board of California</u>	Enacted Chapter 674
	Extends the sunset date for the Medical Board (Board) from January 1, 2007 to January 1, 2011. Requires licensees to inform the Board when they are subject to various court judgements and convictions. Increases the Board's licensing fees and requires the Joint Committee on Boards, Commissions and Consumer Protection to examine the Board's composition and fees and report all findings to the Governor and Legislature no later than July 1, 2008.	
SB 232 Figueroa	<u>Boards and Commissions: Sunset Review</u>	Enacted Chapter 675
	Extends the sunset date for the Board of Podiatric Medicine, the Speech-Language Pathology and Audiology Board, the Physician Assistant Committee, the Respiratory Care Board, and the Contractor's State License Board. Extends the sunset date on the provision that limits physicians serving in underserved areas from supervising more than four physician assistants at a time.	
SB 233 Figueroa	<u>Acupuncture Board: Sunset Date</u>	Two Year Bill
	Would change the sunset date for the Acupuncture Board from July 1, 2006 to January 1, 2006.	
SB 246 Figueroa	<u>Board for Professional Engineers and Land Surveyors</u>	Two Year Bill
	Would extend the sunset dates for the Board for Professional Engineers and Land Surveyors (Board) and the executive officer from January 1, 2007 to January 1, 2013. Would discontinue the existing agricultural, industrial and metallurgical engineering title acts and establish chemical, control systems, fire protection, nuclear, petroleum and traffic engineering as practice acts. <i>Portions of this bill were moved to SB 228.</i>	

SB 247
Figueroa

The Boxing Act

Two Year Bill

Would repeal the State Athletic Commission (Commission) as of January 1, 2006 and repeal other related provisions. Would require the State Athletic Commissioner to appoint an advisory committee provide that they may advise the Director and State Athletic Commissioner concerning the administration, licensing and enforcement of the Boxing Act. Require the State Athletic Commissioner in consultation with the director and an advisory committee to submit a strategic plan to the Governor and Legislature by July 1, 2006 and for the State Athletic Commissioner to submit a report on the implementation of the strategic plan by August 1, 2006 to the director, Governor and Legislature.

SB 248
Figueroa

Professions and Vocations

Enacted
Chapter 659

Extends the sunset dates for the Dental Board and Committee on Dental Auxiliaries. Repeals and reconstitutes a new seven-member Acupuncture Board (Board) authorized until January 1, 2011, and allows the Board, with the approval of the Department of Consumer Affairs, to appoint an executive officer. Also requires the Osteopathic Medical Board to submit a report to the Joint Committee on Boards, Commissions and Consumer Protection by September 1, 2010.

(38) TELEPHONE MEDICAL ADVICE BUREAU

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

(39) VETERINARY MEDICAL BOARD

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

AB 418
Koretz

Dogs: Animal Cruelty: Ear Cropping

Two Year Bill

Would make the ear cropping of a dog a misdemeanor except as provided.

SB 1111
Committee
on
Business,
Professions
and
Economic
Dev

Health Omnibus

Enacted
Chapter 621

Enacts, amends or repeals provisions relating to the following Department of Consumer Affairs boards: 1) Dental Board, 2) Medical Board, 3) Board of Podiatric Medicine, 4) Board of Occupational Therapy 5) Board of Registered Nursing, 6) Respiratory Care Board, (7) Board of Pharmacy and (8) Veterinary Medical Board. Among the more substantive provisions, provides new fees for the Dental Board's new specialty dental assisting categories, and a decrease in the Board of Pharmacy's licensing fee for out of state wholesaler facilities who have more than 20 locations in California.

(40) VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS, BOARD OF

AB 366
Maze

Health Care Peer Reviews

Two Year Bill

Would clarify that a payment may be made to a hearing officer for services rendered without violating current law, which prohibits a hearing officer from having a direct financial benefit from the outcome of a hearing. Would provide that a hearing officer performing duties similar to those as required for employment in other proceedings is not grounds for disqualification.

AB 704
Dymally

Geriatric Health Care Assistants: Licensing and Regulation

Two Year Bill

Would provide for the licensing and regulation of geriatric health care assistants within the Board of Vocational Nursing and Psychiatric Technicians in the Department of Consumer Affairs.